

PTO/SB/21 (09-04)

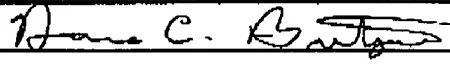
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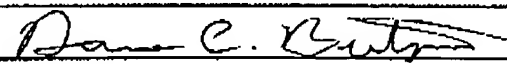
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/383,340	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b>  JAN 06 2005
	Filing Date	Aug. 26, 1999	
	First Named Inventor	Steve KLEIMAN	
	Art Unit	2152	
	Examiner Name	Dung C DINH	
Total Number of Pages in This Submission	15	Attorney Docket Number	103.1007.02

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Swernofsky Law Group PC	
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Printed name	Dane C. Butzer	
Date	Jan. 6, 2005	Reg. No. 43,521

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Typed or printed name	Dane C. Butzer	Date Jan. 6, 2005

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103.1007.02

09/383,340

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEVE KLEIMAN

Serial No.: 09/383,340

Filed: Aug. 25, 1999

For: Scalable File Server with  
Highly Available Pairs

Art Unit: 6451

Examiner: TOD KUPSTAS

Tel: (703) 305-2655

Office Action Mailed:

Oct. 6, 2004

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JAN 06 2005

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RESPONSE TO OFFICE ACTION

Dear Examiner:

This paper is responsive to the outstanding Office Action dated as shown above. Applicant conditionally requests an extension of time in the event that one is required for this paper. In accordance with 37 CFR § 1.136(a)(3), authorization is hereby granted to charge any required extension of time fees under 37 CFR § 1.17 to Deposit Account No. 50-0365. Authorization is also hereby granted to charge any additional claim fees and any other fees necessary for filing of this paper to Deposit Account No. 50-0365.